



# PUBLIC NOTICE

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## **MEDIA BUREAU ANNOUNCES DEADLINES FOR FILING REPORTS RELATING TO THE COMMERCIAL AVAILABILITY OF NAVIGATION DEVICES**

On March 17, 2005, the Commission issued a *Second Report and Order* in CS Docket No. 97-80 (FCC 05-76), maintaining the ban on cable operator deployment of integrated set-top boxes, but deferring the effective date of the ban by 12 months from July 2006 to July 2007.<sup>1</sup> In the *Second Report and Order*, the Commission also imposed several reporting requirements to ensure that progress continues to be made toward the statutory goals of Section 629 of the Communications Act. The Commission indicated that, pursuant to the Paperwork Reduction Act of 1995 ("PRA"), these information collections required approval by the Office of Management and Budget ("OMB") before they could become effective.<sup>2</sup> The Commission also indicated that, upon OMB approval, the Commission would issue a public notice announcing the effective date of the information collections.

The Commission does not anticipate receiving OMB approval for the information collections prior to August 1, 2005.<sup>3</sup> In order to provide the parties adequate notice of this fact and of the new deadline, the Commission hereby announces that the deadline for filing the initial status reports required by the *Second Report and Order* is October 1, 2005, subject to OMB approval of the information collections. Specifically, by October 1, 2005 and every 60 days thereafter, the National Cable & Telecommunications Association ("NCTA") and the Consumer Electronics Association ("CEA") must file joint status reports with the Commission to provide updates regarding progress on the negotiation of a bidirectional "plug and play" agreement and a software-based security agreement.<sup>4</sup> By October 1, 2005

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<sup>1</sup> *Implementation of Section 304 of the Telecommunications Act of 1996: Commercial Availability of Navigation Devices*, 20 FCC Rcd 6794 (2005) ("*Second Report and Order*"). A summary of the *Second Report and Order* was published in the Federal Register on June 22, 2005. See 70 FR 36040.

<sup>2</sup> *Second Report and Order*, ¶¶ 32, 34, and 39. Subject to receipt of OMB approval, the Commission established August 1, 2005 as the deadline for filing initial status reports on the negotiation of an agreement on bidirectional digital cable compatibility and on the support and deployment of CableCARDs. *Id.*, ¶¶ 34, 39. The Commission established December 1, 2005 as the deadline for filing a report on the feasibility of implementing software-based conditional access in navigation devices. *Id.*, ¶ 32.

<sup>3</sup> In accordance with the rules implementing the PRA, 5 C.F.R. § 1320.8(d), the information collections were published in the Federal Register on May 25, 2005. See 70 FR 30110. The 60-day notice period required prior to submission of the information collections to OMB will conclude July 25, 2005. See 5 C.F.R. § 1320.8(d).

<sup>4</sup> The *Second Report and Order* also directed NCTA and CEA to hold joint status meetings with the Commission to provide updates on the bidirectional negotiations. *Second Report and Order*, ¶ 34. The Commission will contact the parties to schedule these *ex parte* meetings, notice of which shall be filed by the parties in CS Docket No. 97-80. See 47 C.F.R. § 1.1206(b)(2).

and every 90 days thereafter, the six largest cable operators (Comcast, Time Warner, Cox, Charter, Adelphia, and Cablevision) must file status reports regarding CableCARD deployment and support and progress on the development, and a timetable for deployment, of the multi-stream CableCARD. We maintain the December 1, 2005 deadline for the cable industry report to the Commission on the feasibility of implementing software-based conditional access in navigation devices. The required contents of these reports are specified in the *Second Report and Order*. The Commission will notify the public upon receipt of OMB approval and announce the effective date of the information collections.<sup>5</sup>

For further information, contact Natalie Roisman of the Policy Division, Media Bureau, at 202-418-1655 or via email at [Natalie.Roisman@fcc.gov](mailto:Natalie.Roisman@fcc.gov).

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<sup>5</sup> As of the date of this Public Notice, the Commission fully anticipates receiving OMB approval for the information collections prior to October 1, 2005. If, for any reason, the information collections will not be effective by October 1, 2005, the Commission will issue a public notice announcing a new deadline for the filing of the initial status reports.